

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO:

ALL ACTIONS

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**CLASS PLAINTIFFS' AND DEFENDANT GLAXOSMITHKLINE'S NOTICE OF
FILING OF ADDITIONAL SIGNATURES, AND AMENDMENTS TO EXHIBITS B, C,
D, E, F AND I, TO SETTLEMENT AGREEMENT AND RELEASE OF THE
GLAXOSMITHKLINE DEFENDANTS**

Attached hereto as Exhibit 1 are three additional signatures to the Settlement Agreement and Release of the GlaxoSmithKline Defendants filed with the Court on August 10, 2006 (the "Settlement Agreement"), namely, the signatures of counsel for the Independent Settling Health Plans. These signatures were not included in the filing of the original Settlement Agreement.

Also attached hereto are amended versions of Exhibits B, C, D, E, F and I to that Settlement Agreement. The amendments consist of the following:

Exhibit B (Proposed Preliminary Approval Order) and C (Proposed Final Approval Order) attached hereto as Exhibits 2 and 3 respectively: A reference to the date of the Settlement Agreement has been added and a reference to the amended exhibits has been added.

Exhibits D, E and F (Escrow Agreements) attached hereto as Exhibits 4, 5 and 6 respectively: Updated contact information has been added and there have been technical modifications made at the request of the escrow agent. The escrow agreements have also been signed by Lead Class Counsel and counsel for GSK.

Exhibit I (ISHP Claims Documentation) attached hereto as Exhibit 7: There has been a revision to paragraph (4)(iv) concerning the certification that must be made by ISHP Group Members as part of their claim.

Pursuant to Paragraph 40 of the Settlement Agreement, all parties thereto have agreed to the amendments described above, and as reflected in the attached amended versions of Exhibits B, C, D, E, F and I, as evidenced by their signatures to this filing.

Respectfully submitted:

DATED: September 5, 2006

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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys and that, on September 5, 2006, I caused copies of **CLASS PLAINTIFFS' AND DEFENDANT GLAXOSMITHKLINE'S NOTICE OF FILING OF ADDITIONAL SIGNATURES, AND AMENDMENTS TO EXHIBITS B, C, D, E, F AND I, TO SETTLEMENT AGREEMENT AND RELEASE OF THE GLAXOSMITHKLINE DEFENDANTS** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Steve W. Berman

Steve W. Berman